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10/523,850

02/07/2005

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05/14/2009

EXAMINER

NGUYEN, PHONG H

ART UNIT

PAPER NUMBER

3724

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.



## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 29-35 are rejected under 35 U.S.C. 102(b) as being anticipated by Frederick (3,880,028).

Regarding claim 29, Frederick teaches a method for cutting a continuously moving glass sheet during production of flat glass with an inhomogeneous thickness distribution across the glass sheet, the method comprising the steps of:

- a) providing a moving glass sheet 12 that is continuously moving in a travel direction;
- b) moving a cutting tool 16 across the moving glass sheet at an angle (90 degrees) to the travel direction of the moving glass sheet so that the cutting tool traverses a plurality of positions on the glass sheet;
- c) during the moving of the cutting tool across the moving glass sheet over the positions on the glass sheet, applying a variable cutting force to the moving glass sheet with the cutting tool 16 so that a fissure 19 is formed in the glass sheet;

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d) measuring thickness of the glass;

e) during the moving of the cutting tool across the glass sheet to form the fissure, adjusting the variable cutting force applied with the cutting tool to the moving glass sheet, wherein the cutting force is increased when the variable thickness increases and the cutting force is decreased when the variable thickness decreases;

f) mechanically breaking the glass sheet along the fissure (by a snap roll 21);

g) controlling different cutting forces applied by the cutting tool (by a controller 35).

See Figs. 1-2.

Regarding claim 30, a position sensor 30 for detecting the position of the cutting tool 16 across the glass sheet 12 is best seen in Figs. 1-2.

Regarding claim 31, applying appropriate cutting force (by the controller) to the glass sheet.

Regarding claim 32, a controller 35 is best seen in Figs. 1-2.

Regarding claim 33, a controller 35 determines different cutting forces on the glass sheet.

Regarding claim 34, Frederick teaches a method for cutting a continuously moving glass sheet during production of flat glass with an inhomogeneous thickness distribution across the glass sheet, the method comprising the steps of:

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- a) providing a moving glass sheet 12 that is continuously moving in a travel direction;
- b) moving a cutting tool 16 across the moving glass sheet at an angle (90 degrees) to the travel direction of the moving glass sheet so that the cutting tool traverses a plurality of positions on the glass sheet;
- c) during the moving of the cutting tool 16 across the moving glass sheet 12 over the regions of the glass sheet, continuously measuring the glass sheet thickness;
- d) during the moving of the cutting tool 16 across the moving glass sheet 12 to form the fissure, applying variable cutting force;
- e) mechanically breaking the glass sheet along the fissure (by a snap roll 21); and
- f) controlling the variable cutting force applied by the cutting tool at points of contact so that variable cutting forces vary according to the thickness of the glass sheet.

See Figs. 1-2.

Regarding claim 35, a controller 35 for adjusting the cutting force is best seen in Figs. 1-2.

### ***Response to Arguments***

3. Applicant's arguments filed 02/24/2009 have been fully considered but they are not persuasive.

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The Applicant argues that Fredrick does not teach glass sheet having an irregular thickness. This argument is not persuasive. It is well known in the art that the glass sheet has an irregular thickness as admitted by the Applicant.

The Applicant argues that the sonic detector cannot measure the thickness. This argument is not persuasive. Col. 5, lines 5-10 teaches that the intensity of sound level depends on the thickness of the glass.

The Applicant argues that Fredrick does not teach applying different cutting forces on the glass sheet. This argument is not persuasive. Fredrick teaches applying different cutting force on the glass sheet in col. 3, lines 35-40.

The Applicant argues that Fredrick does not teach different thickness of the glass sheet being measured as the cutting tool moves across the glass sheet. This argument is not persuasive. Col. 4, lines 28-55 teaches the sonic detector picking sound signal when the cutting tool moves across the glass sheet. Col. 5, lines 5-10 teaches the sound signal depends on the thickness of the glass sheet. Therefore, Fredrick teaches different thickness of the glass sheet being measured as the cutting tool moves across the glass sheet.

### ***Conclusion***

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

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TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to PHONG H. NGUYEN whose telephone number is (571)272-4510. The examiner can normally be reached on Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Boyer Ashley can be reached on 571-272-4502. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/Timothy V Eley/

Primary Examiner, Art Unit 3724

/P. H. N./

Examiner, Art Unit 3724

May 8, 2009